IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

Summary Suit No.1959 of 1999

Car Mart Pvt. Ltd. .. Plaintiff

V/s

Sumangal Corpn and Anr...Defendant

None for the plaintiff

Mahesh J. Devani for defendant

CORAM:S.R.SATHE,J.

DATED:23rd Dec. 2005

P.C.:-

. The learned Advocate for the Defendant tendered draft issues. None present on behalf of the plaintiff. Issues settled as under :

ISSUES

1. Does the plaintiff prove that their suit is filed within limitation as prescribed under the limitation Act, 1963.

2. Does the plaintiff prove that on 21st May, 1987

they have given a loan of Rs.1,00,000/- on interest at the rate of 20% per annum to the Defendants?

3. Does the plaintiff prove that they have shown in their Books of Accounts the said sum of Rs.1,00,000/- paid to the Defendant as a loan on interest at the rate of 20% per annum.

4. Does the plaintiff prove that from time to time the Defendants have paid interest to them on 31st March, 1994.

5. Does the plaintiff are entitled to a decree as prayed from this Hon’ble Court against the Defendants.

6. What order?

. Place the matter for list of witnesses on 27-1-2006.

(S.R.SATHE,J.)